

CLOSED, TRANSFERRED, TYPE-E

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:07-cv-00407-EGS
Internal Use Only

C 07 4580 EDL

SECURITIES AND EXCHANGE COMMISSION v.
ROBERTS
Assigned to: Judge Emmet G. Sullivan
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 02/28/2007
Date Terminated: 07/10/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**SECURITIES AND EXCHANGE
COMMISSION**

represented by **Stephen L. Cohen**
U.S. SECURITIES & EXCHANGE
COMMISSION
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

KENT H. ROBERTS

represented by **Michael Joseph Klisch**
COOLEY GODWARD, LLP
One Freedom Square, Reston Town
Center
11951 Freedom Drive
Reston, VA 20190-5601
(703) 456-8026
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Movant

UNITED STATES OF AMERICA

represented by **Laurel Beeler**
UNITED STATES ATTORNEY'S
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Date Filed	#	Docket Text
02/28/2007	<u>1</u>	COMPLAINT against KENT H. ROBERTS (Filing fee \$ 0.00) filed by SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Civil Cover Sheet)(jf,) (Entered: 03/02/2007)
02/28/2007	<u>2</u>	Summons (1) Issued as to KENT H. ROBERTS. (jf,) (Entered: 03/02/2007)
03/08/2007	<u>3</u>	WAIVER OF SERVICE by SECURITIES AND EXCHANGE COMMISSION. KENT H. ROBERTS waiver sent on 3/2/2007, answer due 5/1/2007. (Cohen, Stephen) (Entered: 03/08/2007)
04/26/2007	<u>4</u>	STIPULATION for an Extension of Time to Respond to Complaint and Briefing Schedule for Motion to Transfer Pursuant to 28 U.S.C. Section 1404(a) by KENT H. ROBERTS. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Klisch, Michael) (Entered: 04/26/2007)
04/27/2007	<u>5</u>	MINUTE ORDER. Upon consideration of <u>3</u> the parties' stipulation, it is ordered that defendant shall respond to the complaint no later than May 21, 2007; any motion to transfer shall be filed no later than May 21, 2007; any opposition to such motion is due no later than June 13, 2007; and any reply is due no later than June 20, 2007. Signed by Judge Emmet G. Sullivan on April 27, 2007. (lcegs1) (Entered: 04/27/2007)
04/27/2007	<u>6</u>	Set/Reset Deadlines: Answer due by 5/21/2007.,Motions due by 5/21/2007.,Responses due by 6/13/2007,Replies due by 6/20/2007. (clv,) (Entered: 04/27/2007)
05/03/2007	<u>7</u>	ANSWER to Complaint with Jury Demand by KENT H. ROBERTS. Related document: <u>1</u> Complaint filed by SECURITIES AND EXCHANGE COMMISSION.(Klisch, Michael) (Entered: 05/03/2007)
05/04/2007	<u>8</u>	ORDER requiring parties to submit Meet and Confer report by no later than June 15, 2007, and setting forth additional instructions for counsel. Signed by Judge Emmet G. Sullivan on May 4, 2007. (lcegs1) (Entered: 05/04/2007)
05/04/2007	<u>9</u>	Set/Reset Deadlines: Meet & Confer Statement due by 6/15/2007. (clv,) (Entered: 05/29/2007)
05/21/2007	<u>10</u>	ENTERED IN ERROR.....MOTION to Transfer Case by KENT H. ROBERTS (Klisch, Michael) Modified on 5/22/2007 (jf,). (Entered: 05/21/2007)

05/21/2007 ⑦ ENTERED IN ERROR.....AFFIDAVIT re 6 MOTION to Transfer Case *Declaration of Wm. Freeman with Exhibits in Support of Motion to Transfer Venue* by KENT H. ROBERTS. (Klisch, Michael) Modified on 5/22/2007 (jf,). (Entered: 05/21/2007)

05/21/2007 ⑧ ENTERED IN ERROR.....MOTION to Transfer Case *Request for Judicial Notice in Support of Motion to Transfer Venue* by KENT H. ROBERTS (Attachments: # 1 Exhibit Exhibits to Judicial Notice In Support of Motion to Transfer Venue)(Klisch, Michael) Modified on 5/22/2007 (jf,). (Entered: 05/21/2007)

05/21/2007 ⑨ ENTERED IN ERROR.....MOTION to Transfer Case *[Proposed] Order Granting Defendant Roberts' Motion to Transfer Venue* by KENT H. ROBERTS (Klisch, Michael) Modified on 5/22/2007 (jf,). (Entered: 05/21/2007)

05/21/2007 ⑩ MOTION to Intervene, and MOTION to Stay Discovery by UNITED STATES OF AMERICA (Attachments: # 1 Text of Proposed Order # 2 Exhibit A)(nmw,) (Entered: 05/22/2007)

05/22/2007 ⑦ NOTICE OF CORRECTED DOCKET ENTRY: Document No. re 6 MOTION to Transfer Case, 7 Affidavit, 9 MOTION to Transfer Case *[Proposed] Order Granting Defendant Roberts' Motion to Transfer Venue*, 8 MOTION to Transfer Case *Request for Judicial Notice in Support of Motion to Transfer Venue* was entered in error and counsel was instructed to refile said pleading as one complete filing. (jf,) (Entered: 05/22/2007)

05/22/2007 ⑦ (Court only) Motions terminated: 6 MOTION to Transfer Case filed by KENT H. ROBERTS, 9 MOTION to Transfer Case *[Proposed] Order Granting Defendant Roberts' Motion to Transfer Venue* filed by KENT H. ROBERTS, 8 MOTION to Transfer Case *Request for Judicial Notice in Support of Motion to Transfer Venue* filed by KENT H. ROBERTS. (jf,) (Entered: 05/22/2007)

05/22/2007 ⑪ MOTION to Transfer Case *DEFENDANTS CORRECTED MOTION TO TRANSFER VENUE* by KENT H. ROBERTS (Attachments: # 1 Request for Judicial Notice (Part 1 of 5)# 2 Request for Judicial Notice (Part 2 of 5)# 3 Request for Judicial Notice (Part 3 of 5)# 4 Request for Judicial Notice (Part 4 of 5)# 5 Request for Judicial Notice (Part 5 of 5)# 6 Affidavit Declaration of William Freeman (Part 1 of 2)# 7 Affidavit Declaration of William Freeman (Part 2 of 2)# 8 Text of Proposed Order Proposed Order)(Klisch, Michael) (Entered: 05/22/2007)

05/23/2007 ⑫ STIPULATION and *[Proposed] Order for Briefing Schedule Regarding Motion to Intervene and Stay Discovery* by KENT H. ROBERTS. (Attachments: # 1 Text of Proposed Order Proposed Order)(Klisch, Michael) (Entered: 05/23/2007)

05/23/2007 ⑬ MINUTE ORDER. Upon consideration of 12 the parties' stipulation, it is ordered that any opposition to the Motion to Intervene and Stay Discovery will be due no later than June 13, 2007, and any Reply will be due no later

than June 20, 2007. Signed by Judge Emmet G. Sullivan on May 23, 2007. (lcegs1) (Entered: 05/23/2007)

05/23/2007 • Set/Reset Deadlines: Response to motion to intervene and stay discovery due by 6/13/2007. Any reply due by 6/20/2007. (mm) (Entered: 05/24/2007)

06/04/2007 • 13 MEET AND CONFER STATEMENT. (Attachments: # 1 Text of Proposed Order Plaintiff's [Proposed] Scheduling Order# 2 Text of Proposed Order Defendant's [Proposed] Scheduling Order)(Klisch, Michael) (Entered: 06/04/2007)

06/13/2007 • 14 Memorandum in opposition to re 10 MOTION to Intervene MOTION to Stay filed by KENT H. ROBERTS. (Attachments: # 1 Affidavit Declaration of Neal J. Stephens in Opposition to the United States' Motion to Intervene and to Stay Discovery# 2 Text of Proposed Order [Proposed] Order Denying United States' Motion to Intervene and to Stay Discovery)(Klisch, Michael) (Entered: 06/13/2007)

06/13/2007 • 15 RESPONSE to 10 United States' Motion to Stay Discovery filed by SECURITIES AND EXCHANGE COMMISSION. (Cohen, Stephen) . (Entered: 06/13/2007)

06/13/2007 • 16 Memorandum in opposition to re 11 MOTION to Transfer Case *DEFENDANTS CORRECTED MOTION TO TRANSFER VENUE* filed by SECURITIES AND EXCHANGE COMMISSION. (Attachments: # 1 Declaration of Paul Lane# 2 Text of Proposed Order Denying Transfer)(Cohen, Stephen) (Entered: 06/13/2007)

06/20/2007 • 17 REPLY to opposition to motion re 11 MOTION to Transfer Case *DEFENDANTS CORRECTED MOTION TO TRANSFER VENUE* filed by KENT H. ROBERTS. (Klisch, Michael) (Entered: 06/20/2007)

06/20/2007 • 18 REPLY to opposition to motion re 10 MOTION to Intervene MOTION to Stay filed by UNITED STATES OF AMERICA. (Attachments: # 1 Declaration of Laurel Beeler in Support of United States' Reply to Roberts' Opposition to United States' Motion to Intervene and to Stay Discovery# 2 Exhibit Exhibit 1# 3 Exhibit Exhibit 2)(Beeler, Laurel) (Entered: 06/20/2007)

07/10/2007 • 19 ORDER denying without prejudice 10 United States' Motion to Intervene and to Stay Discovery; granting 11 Defendant's Motion to Transfer Case; and transferring case to the United States District Court for the Northern District of California. See accompanying Memorandum Opinion. Signed by Judge Emmet G. Sullivan on July 10, 2007. (lcegs1) (Entered: 07/10/2007)

07/10/2007 • 20 MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on July 10, 2007. (lcegs1) (Entered: 07/10/2007)

07/10/2007 • (Court only) ***Civil Case Terminated. (dot,) (Entered: 07/11/2007)

08/30/2007 • Case transferred out to the USDC of the Northern District of California, pursuant to Court Order entered July 10, 2007. Sent to Court by certified

mail. (jf) (Entered: 08/30/2007)